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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/687680
		Filing Date	October 17, 2003
		First Named Inventor	Alfonso Losada
		Art Unit	3721
		Examiner Name	Nathaniel C. Chukwurah
Total Number of Pages in This Submission	23	Attorney Docket Number	SST-1306

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Transmittal Form (1pg) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition (3pgs) <input checked="" type="checkbox"/> Statement by Charles R. Cypher (1 pg) <input checked="" type="checkbox"/> Return Receipt Post Card <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Other Encls. Copies the following documents dated and filed with the USPTO on December 18 th 2007: RRPC stamped by USPTO; canceled check #13877 (\$1050.00); Response to Office Action (13pgs). Also included: USPS Track and Confirm (2pgs); Express Mail Label No. EV907491048 US.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The Law Offices of James R. Cypher		
Signature			
Printed name	Charles R. Cypher		
Date	January 18 th 2007	Reg. No.	41,694

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Charles R. Cypher	Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

52 907490970.4



USSN: 10/687,680
Attorney Docket: SST-1306
Express Mail Label No. EV 907490970US

"Express Mail" mailing number: EV 907490970 US

Date of Deposit: January 18, 2008

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Charles R. Cypher

EV 907490970

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Inventor: Alfonso Losada
Assignee: Simpson Strong-Tie Company, Inc.
Title: POWER ACTUATED GUN WITH AUTOMATIC FIRING
Serial No.: 10/687,680
Filed: October 17 2003
Group Art: 3721
Examiner: CHUKWURAH, NATHANIEL C.
Docket No.: SST-1306

PETITION TO ACCORD FILING DATE FOR EXPRESS MAIL CORRESPONDENCE RECEIVED BY P.T.O. (UNDER 37 C.F.R. § 1.10(e))

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions to have the Patent Office accord the filing date for Applicant's correspondence filed on December 18th, 2007 by Express Mail. Applicant believes that no fee for the petition under 37 CFR 1.10(e) is required. If this belief is in error, or the fees have been amended without Applicant's knowledge, Applicant authorizes the Commissioner to pay any underpayment of fees or pay any additional fees that may be required by this paper by withdrawing them from Deposit Account No. 03-4075.

PETITION TO ACCORD FILING DATE FOR EXPRESS MAIL
CORRESPONDENCE RECEIVED BY P.T.O. (UNDER 37 C.F.R. § 1.10(e)) EV 907490970

This application should still be pending as a response was timely filed on December 18th, 2007. A Petition for Extension of Time along with a Response under 37 CFR§1.111 were submitted to the Patent Office via United States Postal Service, utilizing its Express Mail service, on December 18th, 2007. Applicant respectfully requests that the Patent Office acknowledge that these documents were received on December 18th, 2007.

Applicant believes that the papers submitted by Express Mail Service on December 18th, 2007 are considered to have not been received because Applicant has received a Notice of Abandonment in this case. Applicant received on December 28th 2007, the Notice of Abandonment dated December 27th, 2007. This petition is being filed promptly thereafter. 37 C.F.R. § 1.10(e) (1).

The following attached papers are those required by 37 C.F.R. § 1.10(e):

1. A true copy of the originally-deposited papers and fees: Response 37 CFR§1.111 (13 pgs). The copy of the Response shows that the Express Mail label Number EV 907491048 was indicated on each paper.
2. A true copy of the returned Post Card showing receipt of these papers by the P.T.O. also bearing Express Mail # EV 907491048.
3. A true copy of the canceled check showing the date for the fee payment for this correspondence. The check also bears the Express Mail # EV 907491048.
4. A true copy of the "Express Mail" mailing label showing the "date-accepted.", December 18th 2007.
5. Track and Confirm report from the United States Postal Office web site, showing date and time of deposit, December 18th 2007 at 7:53pm.

Also included is a statement by Charles R. Cypher on the basis of personal knowledge that the correspondence was originally deposited with the United States Postal Service on December 18th, 2007, and that the attached copies are true copies of that correspondence and the mailing label accurately reflects the date of the filing of the correspondence.

EV 907490970

USSN: 10/687,680
Attorney Docket: SST-1306
Express Mail Label No. EV 907490970US

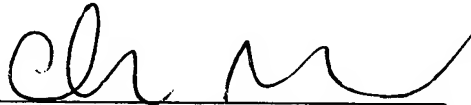
In consideration of these submissions and explanations, it is respectfully requested that the holding of abandonment be withdrawn, as the Response to Office Action was filed in a timely manner on December 18th, 2007.

I, Charles R. Cypher, having been duly warned that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this document or the instant application, I hereby declare that I am authorized to execute this document; that the facts set forth herein are true; that all statements made of my own knowledge are true; and that all statements made on information and belief are believed to be true.

Date:

1/18/07

Signature:



Charles R. Cypher, Reg. No. 41,694
Law Offices of James R. Cypher
405 -14th St., Suite 1607
Oakland, CA 94612-2747
Tel: (510) 832-4111
Fax: (510) 832-4115
Customer no. 0498

Enclosures:

Transmittal Form (1pg); Petition (3pgs); Statement by Charles R. Cypher (1pg); RRPC;

Copies the following documents associated with the filing of the above response to the USPTO on December 18th, 2007:

Express Mail Label No. EV 907491048 US (1pg)
Copy of Track and Confirm (2pg)
RRPC stamped by USPTO (1pg)
Canceled check #13877 (\$1,050) (1pg)
Response under 37 CFR 1.111 (13pg)



Statement by Charles R. Cypher **EV 907490970**
in Support of Petition Under 37 CFR §1.10(e)

I, Charles R. Cypher, personally deposited the Petition for Extension of Time, an Amendment and Response to Office Action, in addition to a check for the appropriate fees as listed with an employee of the United States Postal Service in the attached Express Mail Certificate on December 18, 2007 as Express Mail Post Office to Addresses Service.

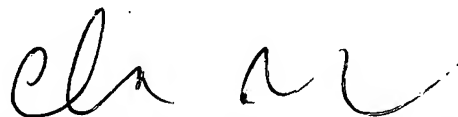
Evidence that I personally deposited these materials are my initials next to each listed document on the attached Return Receipt Post Card mailed with those materials on December 18th 2007.

The copies of the correspondence deposited on December 18th 2007 the copy of the "Express Mail" mailing label, the copy of the Return Receipt Post Card, the official "Date-Accepted" notification on the "Express Mail" mailing label entered by the USPS are true copies of the originally mailed correspondence, original "Express Mail" mailing label, Returned Receipt Post Card, and official notification entered by the USPS.

I, Charles R. Cypher, having been duly warned that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this document or the instant application, I hereby declare that the facts set forth herein are true; that all statements made of my own knowledge are true; and that all statements made on information and belief are believed to be true.

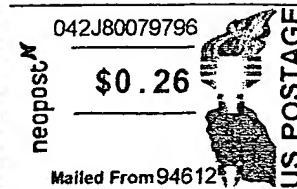
Date: 1/18/08

Signature:

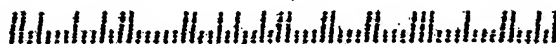

Charles R. Cypher, Reg. No. 41,694

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EV 907490970



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EV907491048US

Application No.: 10/687,680
Filing Date: October 17, 2003

Atty File No. SST-1306 First Inventor: Alfonso LOSADA
Title: POWER ACTUATED GUN WITH AUTOMATIC FIRING

Please acknowledge receipt of the following by placing your stamp hereon and mailing:

1. Amendment and Response to Office Action & petition for EXT. of Time (13 pgs)
2. Return Receipt Post Card
3. Check No. 13877

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JAMES R. CYPHER

Due Date: December 18, 2007 with 3 mo. ext.

Date of Deposit: December 18, 2007

James R. Cypher, 405 14th St., Suite 1607, Oakland, CA 94612-2747



SPAM



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(510) 832-4111

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Commissioner for Patents
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Serial No. 10/687,680
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Memo SST-1306

James R. Cypher

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